

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

Larry Brown, Sr.,	:	Case No. 1:07CV1333
	:	
Petitioner	:	Judge Dan A. Polster
	:	
v.	:	Magistrate Judge David S. Perelman
	:	
Stuart Hudson, Warden,	:	<b>MEMORANDUM OPINION</b>
	:	<b>AND ORDER</b>
Respondent	:	

On March 27, 2008 this Court entered an Order granting petitioner's motion to hold this action in abeyance in order to give him the opportunity to procure and submit evidence in support of his claim of actual innocence.

The abeyance period expired on August 1, 2008, and petitioner has failed to submit any additional evidence.

This action, therefore, is restored to the active docket, and will be considered upon the record as it now stands.

**IT IS SO ORDERED**

s/DAVID S. PERELMAN  
United States Magistrate Judge

DATE: August 8, 2008